

04-06-04

PATENT

Atty Docket No. 65015

Express Mail Label No. EU 935995470 US

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chunying Du, et al.

Serial No: 10/730,476

Filed: December 8, 2003

For: Compositions and Methods for
Cleaving IAP

Group No. Not Yet Assigned

Examiner Not Yet Assigned

Conf. No. Not Yet Assigned

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Attached hereto and transmitted herewith are the following:

- ☒ Information Disclosure Statement (5 pages);
- ☒ Information Disclosure Statement by Applicant From PTO/SB/08A and 08B (5 pages,
with copies of 46 non-patent literature document);
- ☒ A Certificate of Mailing by Express Mail (1 page);
- ☒ A Stamped, Pre-Addressed Postcard.

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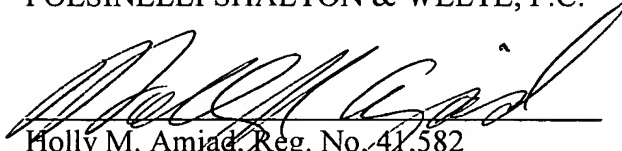
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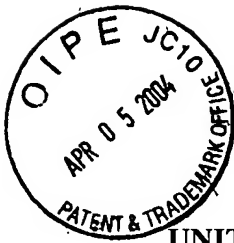
Respectfully submitted,

POLSINELLI SHALTON & WELTE, P.C.



Holly M. Amjad, Reg. No. 41,582
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UNITED STATES PATENT AND TRADEMARK OFFICE

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of the form PTO/SB/08A (in substitute for Form 1449). In sections I-IV, below, the paragraph(s) marked with an "x" in the requisite space are applicable to this Information Disclosure Statement.

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I. REQUEST FOR CONSIDERATION

☐ (a) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage of the above-identified application. Accordingly, Applicant(s) believe(s) that no fee or certification is required.

☒ (b) **Applicant(s) believe(s) the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97 (b) (3) as it is being filed before the mailing of the first Office Action on the merits. Accordingly, Applicant(s) believe(s) that no fee or certification is required.**

☐ (c) Applicant(s) believe(s) the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97 (b) (4) as it is being submitted before the mailing of an Office Action after the filing of a request for continued examination under 37 CFR §1.114. Accordingly, Applicant(s) believe(s) that no fee for certification is required.

☐ (d) Pursuant to 37 CFR §1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

☐ a certification under 37 CFR §1.97(e); or

☐ the fee set forth in 37 CFR §1.17 (p);

☐ a check for this fee is enclosed herewith; or

☐ please charge this fee to Deposit Account No. 50-1662.

II. PETITION UNDER 37 CFR 1.97 (d)

☐ a) Pursuant to 37 CFR §1.97 (d), applicant(s) hereby petition(s) the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state(s) that the issue fee has not been paid and that a certification under 37 CFR §1.97 (e) is provided herein, along with the petition fee of \$130.00 required under 37 CFR §1.17 (i) (1);

☐ a check for this petition fee is enclosed herewith;

☐ please charge this petition fee to Deposit Account No. 50-1662;

and

b) The information disclosure fee of \$200.00 required by 37 CFR §1.17 (p) is believed to be due, and

☐ a check for this fee is enclosed herewith; or

☐ please charge this fee to Deposit Account No. 50-1662.

III. CERTIFICATION UNDER 37 CFR §1.97 (e) (1)

☐ The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement. Art was cited in an Invitation to Pay Additional Fees mailed November 29, 2002 in the PCT Application No. PCT/GB02/03686 corresponding to the above listed patent application.

☐ A copy of the search report by the European Patent Office is enclosed herewith.

IV. CERTIFICATION UNDER 37 CFR §1.97 (e) (2)

[] The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a duty of disclosure as set forth in 37 CFR §1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a governmental or international or regional bureau searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 CFR §1.98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The information herein cited is only in fulfillment of Applicant's(s') duty of candor in disclosing all information brought to Applicant's(s') attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve(s) the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1662.

Respectfully submitted,

POLSINELLI SHALTON & WELTE, P.C.

Date: _____

4/5/04

By: _____

Holly M. Amjad, Reg. No. 41,582
700 W. 47th Street, Suite 1000
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Attorney for Applicant(s)



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| Applicant(s): Chunying Du, et al. | | | 65015 | |
| Serial No. | Filing Date | Examiner | Group Art No. | Confirmation No. |
| 10/730,476 | December 8, 2003 | Not Yet Assigned | Not Yet Assigned | Not Yet Assigned |

Invention: Compositions and Methods for Cleaving IAP

I hereby certify that a Transmittal (2 pages, in duplicate); Information Disclosure Statement (5 pages); Information Disclosure Statement by Applicant Form PTO/SB/08A and 08B (5 pages, with copies of 46 non-patent literature documents); Certificate of Mailing by Express Mail (1 page); and a stamped, pre-addressed postcard are being mailed by U.S. Postal Service Express Mail to Addressee, Mail Stop Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 5th day of April 2004.

Gayle Canfield

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Gayle Canfield

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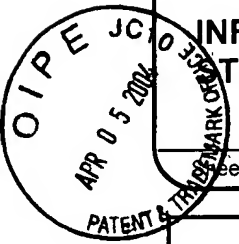
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| First Named Inventor | Chunying Du |
| Art Unit | Unknown |
| Examiner Name | Unknown |
| Attorney Docket Number | 65015 |

Sheet 1 of 5

[illegible][illegible]Date
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Sheet 2 of 5

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| | |
|------------------------|------------------|
| Application Number | 10/730,476 |
| Filing Date | December 8, 2003 |
| First Named Inventor | Chunying Du |
| Group Art Unit | Unknown |
| Examiner Name | Unknown |
| Attorney Docket Number | 65015 |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Filing Date | December 8, 2003 |
| First Named Inventor | Chunying Du |
| Group Art Unit | Unknown |
| Examiner Name | Unknown |
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Sheet 5 of 5

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| Examiner Name | Unknown |
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|------------------------|--------------------------|---|----------------|
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